

BENJAMIN J. CAYETANO
GOVERNOR



RAYMOND H. SATO
COMPTROLLER

**STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES**

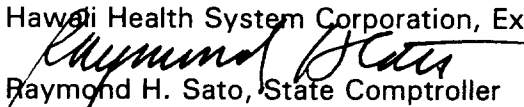
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

MARY PATRICIA WATERHOUSE
DEPUTY COMPTROLLER

April 10, 2000

COMPTROLLER'S MEMORANDUM 2000-09

TO: All State Executive Departments
All County Mayors
All Chief Procurement Officers
Hawaii Health System Corporation, Executive Director

FROM: 
Raymond H. Sato, State Comptroller

SUBJECT: Publication of State and County Government Public Notices

The purpose of this memorandum is:

- ♦ To advise that the contract with RFD Publication, Inc. (RFD) has been extended for another year to expire on February 21, 2001.
- ♦ To clarify that all public notices, except procurement notices under Chapter 103D and 103F, HRS, shall be placed with RFD, whether or not required by regulatory provision, such as statute, rule, ordinance, etc.
- ♦ To replace Comptroller Memoranda No. 1999-06, dated February 18, 1999, and No. 1999-24, dated July 15, 1999, by consolidating and updating the information applicable to the procurement of public notices.

Contractor: RFD Publications, Inc. (RFD)
45-525 Luluku Road, Kaneohe, Hawaii 96744

Contact person at RFD: Questions or concerns may be addressed to:

Ms. Lavonne Cuaresma, Legal Advertising
Coordinator/Assistant Classified Advertising Supervisor
Telephone: (808) 235-5881 ext. 348
Fax: (808) 235-9498
e-mail: mweekads@midweek.com

Note: Please make every effort to resolve your issues with RFD before contacting the State Procurement Office.

Contract administrator: State Procurement Office

Primary contact: Mr. Justin Fo
Telephone: (808) 586-0577
Fax: (808) 586-0570
e-mail: justin fo@state.hi.us.

Publication: ***Hawaii State & County Public Notices (HS&CPN):***

- ◆ Published weekly on Monday, except if a Federal holiday falls on Monday, Tuesday will be the issue day;
- ◆ Published separately for each county, City and County of Honolulu, County of Hawaii, County of Maui, and County of Kauai, and Statewide notices will be placed in all four issues; and
- ◆ Published exclusively for State and County public notices.

Scope of Work:

To publish all statewide and countywide publication of government notices, whether or not required by regulatory provision, such as statute, rule, ordinance, etc. Procurement notices under Chapters 103D and 103F, HRS, are exempt from this contract.

Section 1-28.5, HRS, as amended, supercedes any conflicting government agency's law, statute, charter, rule or ordinance. Should an agency's charter, rule, ordinance, etc. be in conflict with §1-28.5, HRS, the agency shall use the *HS&CPN* as the primary means of giving public notice. Additional means (i.e. a daily newspaper) may be used to satisfy the agency's charter, rule, ordinance, etc. In essence, agencies shall place an ad with RFD first and then may go to another source for additional public notice. Agencies are encouraged to take appropriate action to eliminate any conflict or inconsistency with §1-28.5, HRS.

Exceptions:

The State Comptroller will be the sole approver of exceptions. Exceptions will be reviewed on a case-by-case basis and approval will be rare. See attached exception form (SPO Form 5A).

Agencies must plan their placement of legal notices to avoid conflicts with the contract. During the past contract period, there were too many requests for exceptions because agencies could not meet the contract's deadline and lead times. Unless it is justified, we cannot be granting exceptions and still meet the intent and requirement of the law. For this contract to work the utmost cooperation of all agencies is required. Please bear in mind that this contract shall be the primary means of giving public notice with additional means (i.e. a daily newspaper) permissible.

Examples:

- ◆ An agency is required by ordinance to give public notice for three consecutive days. The agency must place an ad with RFD for one day and may go through another source for the other two days to satisfy the ordinance. *In this case an exception will not be required.*
- ◆ An agency has meetings scheduled during the week and does not have sufficient time to provide an agenda to be published in the *HS&CPN*. However, due to regulatory requirements, a public notice of the agenda must be given at least three working days prior to the meeting date. The meeting date is May 19, so the agenda must be published by May 14th. The agency is unable to meet the *HS&CPN* May 10th publication and the May 17th issue would be too late. Take the following course of action: submit a public notice to RFD for the May 10th *HS&CPN* publication. In this notice inform the public that the agenda for the May 19th meeting will be published in _____ newspaper on _____ (date).

This course of action would not be considered an exception. The agency has intended to comply with §1-28.5, HRS, by providing public notice through a single source available to the public. At a minimum cost, the agency has informed the public where and when the agenda will be published.

How to place an ad: Complete the attached order form and *submit together with your Purchase Order number:*

FAX: Oahu: (808) 235-9498
Neighbor islands: Toll-free 1-877-274-5944
Alternate nos.: (808) 247-7246
(808) 247-4629

PHONE: Oahu: (808) 235-5881- Legal Dept.
Neighbor islands:
Toll-free 1-800-417-3484
After hours: (808) 235-5886 and leave a voice
mail message at ext. 348 for
Lavonne Cuaresma, Legal
Advertising Supervisor/Assistant
Classified Advertising Supervisor

***DISKETTE:** Deliver to RFD between 8:30am – 4:30pm,
Monday through Friday

Mail to: Attn.: Legal Department
RFD Publications Inc.
45-525 Luluku Road
Kaneohe, HI 96744

**The easiest way for RFD to retrieve your files would be if you save them as text files.*

****E-MAIL:** Primary e-mail address:
mweekads@midweek.com

Alternate e-mail address:
cahana@midweek.com

****Call to confirm receipt of the e-mail.** Note: If you are e-mailing graphics, please save document in "eps" format.

Pricing:

The rates are per insertion for legal, classified and display notices:

STATEWIDE COVERAGE \$62.71 per column inch
Notices will appear in all versions of HS&CPN.

CITY & COUNTY OF HONOLULU. . . . \$24.52 per column inch
Notices will appear only in the HS&CPN City & County of Honolulu version distributed on Oahu.

COUNTY OF HAWAII. \$20.13 per column inch
Notices will appear only in the HS&CPN County of Hawaii version distributed on the Big Island.

COUNTY OF MAUI \$ 8.83 per column inch
Notices will appear only in the HS&CPN County of Maui version distributed on Maui.

COUNTY OF KAUAI. \$ 5.85 per column inch
Notices will appear only in the HS&CPN County of Kauai version distributed on Kauai.

NOTE: Orders placed in all four versions of the HS&CPN will automatically be charged at the Statewide rate of \$62.71.

Column sizes:

Adhere to the following column sizes when submitting camera-ready public notices:

Width

1 column	1-7/16"
2 columns	3-1/16"
3 columns	4-11/16"
4 columns	6-5/16"
5 columns	7-15/16"
6 columns	9-9/16"

Depth

Incremental charges are based on one-fourth (1/4) of an inch.

Font size and typeface: New Century Schoolbook shall be considered the standard typeface for legal notices unless otherwise specified.

Headings and subject lines will be not less than 8 point bold, and body copy will be 7.5 point unless otherwise specified. When the industry standard is ordered, ads will be set in 9 point New Century Schoolbook regular.

See attached sample of font sizes and New Century Schoolbook typefaces. If, for any reason, an agency requires a different font size or typeface, please contact RFD.

Deadlines: To ensure your scheduled advertising date, orders must be received within the specified deadlines.

Two-Proof Service: Notice that requires two proofs prior to approval must be submitted no later than FIVE (5) WORKING DAYS prior to the Monday of publication. Therefore, copy must be submitted by 4:30 p.m. on the preceding Monday. Example of an ad requiring two-proof service would be one involving graphics which RFD's art department would have to build or a very lengthy text ad.

One-Proof Service: Notice that requires one-proof service prior to approval must be submitted no later than **FOUR (4) WORKING DAYS** prior to the Monday of publication. Therefore, copy must be submitted by 4:30 p.m. on the preceding Tuesday.

Final Corrections: Both final corrections and camera-ready materials must be submitted by 12:00 noon Wednesday, **THREE (3) WORKING DAYS** prior to the Monday of publication. A free pick-up service is available for camera-ready materials.

***Note:** Should a State holiday fall on a Monday, Tuesday or Wednesday, deadlines shall move back one day. For example, if the holiday is on a Monday, the deadline for a two-proof service becomes the prior Friday.*

Errors and adjustments: You will receive a copy of the public notice for review prior to publication. Thorough proofing is required. RFD will not be responsible for any errors, typographical or otherwise once the proof has been approved and signed by the customer.

For any public notice with errors due to RFD, a full credit shall be issued to the agency, unless a corrected publication is printed in a timely manner satisfactory to the agency.

Check your ads for errors and notify the Legal Department immediately. RFD will not be responsible for errors after the FIRST publication of any advertisement.

Invoice and Affidavit of Publication: Invoice will be sent out on the last run date, together with the original affidavit of publication at no charge.

Additional copies of the affidavit of publication may be requested. If additional copies are requested, RFD may charge 25 cents per additional copy in excess of two.

Distribution:

- ◆ All public libraries;
- ◆ The internet (see **Electronic posting**);
- ◆ Selected State and County buildings, statewide;
- ◆ All 7-11 stores and various neighborhood stores; and
- ◆ Direct mail.

Anyone wishing to be placed on the mailing list to receive a copy of the *HS&CPN* may contact RFD Circulation Department:

Telephone: (808) 235-5881
FAX: (808) 235-9498
e-mail: cahana@midweek.com

Electronic posting: All public notices will be posted on Mondays by noon on MidWeek's website www.midweek.com, which will also provide a link to the Hawaii State Government Home page, www.state.hi.us. If there are any comments or suggestions regarding the website, please contact Mr. Alan Stewart, RFD Systems Manager, telephone 235-5881 or e-mail astewart@midweek.com.

HS&CPN AD PLACEMENT FORM

A. Name of Department/Agency: _____

B. Date of Publication: _____

C. Please check which version of the HS&CPN the public notice will be placed in:

- | | |
|--|---|
| <input type="checkbox"/> Statewide | |
| <input type="checkbox"/> City & County of Honolulu | <input type="checkbox"/> County of Hawaii |
| <input type="checkbox"/> County of Maui | <input type="checkbox"/> County of Kauai |

D. Classification: (Please check only **ONE**)

- | | |
|---|--|
| <input type="checkbox"/> Bills/Ordinances | <input type="checkbox"/> Miscellaneous |
| <input type="checkbox"/> Court Notices/Summons | <input type="checkbox"/> Notices To Motorists |
| <input type="checkbox"/> Foreclosures | <input type="checkbox"/> Public Auctions |
| <input type="checkbox"/> Help Wanted | <input type="checkbox"/> Public Hearings |
| <input type="checkbox"/> Legal Notices | <input type="checkbox"/> Public Notices |
| <input type="checkbox"/> Meetings | <input type="checkbox"/> Request For Proposals |
| <input type="checkbox"/> Other, please specify: _____ | |

E. Contact Person (Handling the ads): _____

F. Telephone No.: _____

G. Fax No.: _____

H. Purchase Order No.: _____

I. Address: _____

J. Complete Billing Address if
different (Include Contact Name) : _____

K. E-mail address: _____

L. Comments (if any): _____

New Century Schoolbook Typeface
Default Font Sizes
8 Point/Heading
7.5 Point/Body

FIRST CIRCUIT COURT
NOTICE AND NOTICE
TO CREDITORS

P. No. 98-0742

ESTATE OF JOHN F. DOE, also
known as Doe R. Me, and Doe See
Doe, Deceased

FILED, a document purporting to
be the Last Will and Testament of
the above-named decedent who
died on May 18, 1998, together
with an Application by Jane R.
Smith, whose address is 22-001A
Happiness Road, for informal pro-
bate and issuance of Letters to
Jane R. Smith and Nettie A.
Smith.

If any interested person has objec-
tion to the informal probate, he
may file a petition for formal tes-
tacy proceedings within forty (40)
days after the first publication of
this notice. If any interested per-
son desires further notice con-
cerning the closing and distribu-
tion of the estate, he must file a
Demand for Notice pursuant to
HRS section 560-30204.

All creditors of the above-named
estate are hereby notified to pre-
sent their claim with proper
vouchers of duly authenticated
copies thereof even if the claim is
secured by mortgage upon real
estate, to said nominee, at the
address shown above, within four
(4) months from the date of the
first publication of this notice, or
they will be forever barred.

DATED: Honolulu, Hawaii,
December 14, 1998.

G. HA

CLERK

Cash Haggerty & Holiday

Frank P. Holiday

Attorneys for Applicant

(HS&CPN 0002659:

March 6, 13 & 20, 2000)

STATE OF HAWAII

REQUEST FOR AUTHORIZATION TO PURCHASE OUTSIDE OF THE CONTRACT FOR PUBLICATION OF STATE AND COUNTY GOVERNMENT PUBLIC NOTICES ISSUED BY THE STATE COMPTROLLER PURSUANT TO ACT 2, SLH 1998

(NOTE: SUBMIT THIS REQUEST TO THE STATE COMPTROLLER)

TO: Raymond H. Sato, State Comptroller

Fax No. (808) 586-0775

FROM:

(Department/Division/Agency)

Exception to purchase from a source other than RFD Publications, Inc. (RFD) is requested as follows:

Unit Price:	Description:

Justification to purchase from another source (why publication under the terms of the contract with RFD cannot meet agency needs):

For your information, we propose to purchase the publication as follows:

Name of vendor	Unit Price

Direct questions to: _____

Phone: _____

Approval Recommended by:

_____	_____	_____
Signature	Title	Date

Recommendation of Staff: _____ Approval _____ Disapproval _____ No Action Required

Comments:

_____	_____	_____
Signature	Title	Date

ACTION BY STATE COMPTROLLER:

_____ Approved _____ Denied

State Comptroller

Date

REF. NO. _____